IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 14697 of 2000

Between:

1. K.R.Subrahmanyam, S/o Rangaiah Naidu,

   Aged about 43Yrs., Working as Instructor.

2. B.Anandaiah, S/o Chenchaiah Devara,

   Age about 36Yrs., working as Instructor,

   (Both the petitioners are working in

   Training cum production center of Andhra

   Pradesh Vikalangula Cooperative Corporation,

   Industrial Estate, Anantapur).

..... PETITIONER

AND

1. The Government of Andhra Pradesh rep., by its

   Secretary to Government, Women's Development

   And Child Welfare (WHD) Department,

   Secretariat, Hyderabad.

2. The Andhra Pradesh Vikalangula Coopearive

   Corporation rep., by its Managing Director,

   Ground Floor, BRKR Buildings, Near

   Tank Bund, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of writ of Mandamus declaring the action of the respondents in not fixing the pay of the petitioners as Rs.1010-1800/- in the cadre of Instructor, on par with other instructors working in the Corporation a arbitrary, illegal, in violation of Article 14 and 21 of the Constitution of India and to issue a consequential direction to the respondents to fix the pay of the petitioners as Rs.1010-1800/- in the cadre of instructors, on par with other instructors in the Corporation with retrospective effect and pay the arrears of salary forth with and to pass such other order or orders which are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: G.P. for Women Development and Child Welfare.

Counsel for the Respondent No.2: MR.K.RAMANUJA CHARI

The Court made the following Order:

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Both the counsel submit that in similar circumstances this Court disposed of writ petition No. 20152 of 2000 on 30.11.2000, as follows:

> " In my considered opinion, the writ petition is barred by delay and laches. In all financial matters, if a Mandamus is issued from this Court, that would result in a lot of financial indiscipline in a fully owned Government undertaking and the Court cannot be a party to such event. It is, however, open to the petitioner to approach the 2nd and 3d respondents seeking necessary relief even now. As and when such representation is made, the respondents 2 and 3 shall consider the same in accordance with law.
>
> In the result, subject to the above observations, the writ petition is dismissed. No costs."

Learned counsel for the respondents pleads that the similar order may be passed in this writ petition also.

Learned counsel for the petitioner does not dispute the position seriously.

Following the said order, dated 30.11.2000, the writ petition is dismissed. No order as to costs.

14-10-2004

klp

To

1. The Government of Andhra Pradesh rep., by its
   Secretary to Government, Women's Development
   And Child Welfare (WHD) Department,
   Secretariat, Hyderabad.
2. The Andhra Pradesh Vikalangula Coopearive
   Corporation rep., by its Managing Director,
   Ground Floor, BRKR Buildings, Near
   Tank Bund, Hyderabad.

3. 2CCs to G.P. for Women Development and Child Welfare, High Court buildings, Hyderabad. (OUT).

4. 2CD copies